

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

THE PICTURE PEOPLE, INC.,

Plaintiff,

vs.

IMAGING FINANCIAL SERVICES, INC.,  
d/b/a EKCC, and EASTMAN KODAK  
COMPANY,

Defendants.

**STIPULATION  
AND ORDER**

ECF Case

08 Civ. 4499 LAK

This Stipulation and Order is entered, subject to the approval of the Court, by the undersigned, attorneys for plaintiff The Picture People, defendant Imaging Financial Services, Inc., d/b/a EKCC, and defendant Eastman Kodak Company (collectively the "Parties").

WHEREAS, pursuant to the Court's Order Re Scheduling and Initial Pretrial Conference, dated June 11, 2008, the deadline for the Parties to confer regarding an agreed scheduling order currently is July 2, 2008, and if such consent order is not filed prior to that date, the parties currently are required to attend a preliminary conference to be held on July 28, 2008;

WHEREAS, pursuant to extensions granted by plaintiff, defendant Imaging Financial Services, Inc., d/b/a EKCC's and defendant Eastman Kodak Company's deadline to answer, move against or otherwise respond to the Summons and Amended Complaint in the above-captioned matter currently is July 14, 2008;

WHEREAS, the Parties have been and continue to be engaged in settlement discussions in a good-faith attempt to resolve this case without further litigation;

WHEREAS, the Parties wish to focus their attention on the potential settlement of this action, which if successful, would eradicate the need for the Parties and the Court to expend any

additional time and resources on this matter, including but not limited to eliminating the need for a scheduling order or preliminary conference;

NOW THEREFORE, in consideration of the foregoing, it is hereby STIPULATED, AGREED, and subject to the approval of the Court, ORDERED THAT:

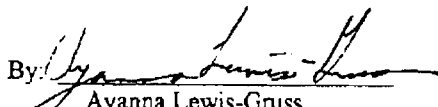
1. The time for defendants Imaging Financial Services, Inc., d/b/a EKCC and Eastman Kodak Company to answer the Summons and Amended Complaint in the above-captioned matter shall be and hereby is extended through and including August 14, 2008;

2. The time for the Parties to meet and confer regarding an agreed schedule and to submit a scheduling order calling for the filing of a pretrial order within six (6) months of the date of filing of a consent scheduling order and otherwise complying with the Local Rules of this Court and the Individual Practices of Hon. Lewis A. Kaplan, shall be and hereby is extended through and including August 14, 2008; and

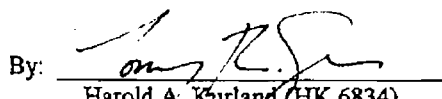
3. If the Parties are unsuccessful in reaching a settlement of this action and do not submit a consent scheduling order on or before August 14, 2008, the Court will schedule a conference to be held at a date and time to be set by the Court, not earlier than September 4, 2008.

Dated: July 1, 2008

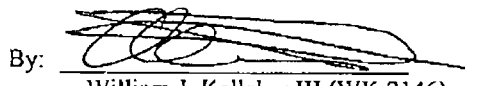
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IT IS SO ORDERED.

Dated: 7/3/08

  
Honorable Lewis A. Kaplan  
United States District Court Judge